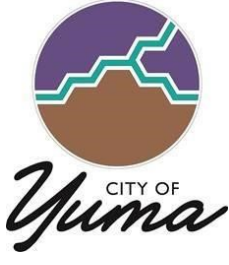


Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on July 12, 2021, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.

	<p style="text-align: center;">Agenda Planning and Zoning Commission Meeting City Hall Council Chambers One City Plaza Yuma, AZ Monday, July 12, 2021, 4:30 p.m.</p>
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A. CALL TO ORDER

- B. CONSENT CALENDAR** – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item.

B.1 APPROVAL OF MINUTES –

June 28, 2021

B.2 WITHDRAWALS BY APPLICANT – NONE

B.3 TIME EXTENSIONS – NONE

B.4 CONTINUANCES – NONE

B.5 APPROVALS – NONE

C. ACTION ITEMS-

C.1 ZONE-35268-2021: This is a request by The City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 10 and Article 16 to update provisions related to residential density and parking in the Old Town (OT) Zoning District.

D. PUBLIC HEARINGS – NONE

E. INFORMATION ITEMS

E.1 STAFF

E.2 COMMISSION

E.3 Public – Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

ADJOURN

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149.

Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

Planning and Zoning Commission Meeting Minutes
June 28, 2021

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday June 28, 2021, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were Chairman Chris Hamel, Vice-Chairman Fred Dammeyer and Commissioners Lorraine Arney, Gregory Counts, Joshua Scott and Branden Freeman. Commissioner Barbara Beam was absent.

STAFF MEMBERS present included Rodney Short, Deputy City Attorney; Alyssa Linville, Assistant Director DCD; Augustin Cruz, Senior Civil Engineer; Robert Blevins, Principal Planner; Richard Munguia, Senior Planner; Chad Brown, Associate Planner; Alexis Garcia, Assistant Planner and Alejandro Marquez, Administrative Assistant.

Chairman Chris Hamel called the meeting to order at 4:30 p.m., and noted there was a quorum present.

CONSENT CALENDAR

MINUTES – June 14, 2021

WITHDRAWALS BY APPLICANT – None

CONTINUANCES –

ZONE-35268-2021: This is a request by The City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 10 and Article 16 to update provisions related to residential density and parking in the Old Town (OT) Zoning District. *(Continued to the meeting of July 12, 2021)*

APPROVALS – None

Motion by Counts, second by Arney, to APPROVE the Consent Calendar as presented. Motion carried unanimously, (6-0) with one absent.

Action Items –

SUBD-34769-2021: This is a request by Dahl, Robins & Associates, Inc., on behalf of Yucca Land Company, LLC, for the approval of the final plat for the Desert Sands Subdivision Unit 3, proposed to be divided into 122 lots, ranging in size from approximately 5,078 square feet to 13,338 square feet. The property is located at the southwest corner of E. 45th Street and the S. Avenue 8E, Yuma, AZ.

Richard Munguia, Senior Planner, summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANTS REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Freeman, second by Arney to APPROVE SUBD-34769-2021 as presented, subject to the Conditions of Approval in Attachment A. Motion carried unanimously (6-0), with one absent.

ZONE-34686-2021: This is a request by Dahl, Robins, and Associates, on behalf of Larry C. Fields and Kyle Marie O'Brien, to rezone approximately 7,500 sq. ft. from the Low Density Residential / Infill Overlay (R-1-6/IO) District to the General Commercial / Infill Overlay (B-2/IO) District, for the property located at 1639 S. 6th Avenue, Yuma, AZ. *(Continued from the meeting of June 14, 2021)*

Robert Blevins Principal Planner, summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

Tom Pancrazi, 350 W. 16th Street Suite 332, Yuma AZ, 85364 commented that he had concerns with the time frames in Conditions # 2, 3 & 4, stating that more time was needed to complete the proposed development. **Hamel** asked Staff to explain how the proposed rezone could be completed. **Blevins** stated the zoning would not be vested until all Conditions of Approval had been met. **Alyssa Linville, Assistant Director DCD** asked Pancrazi if his intent was to have the zoning vested. **Pancrazi** replied yes. **Linville** then replied that the zoning couldn't be vested until Condition # 4 had been satisfied. **Pancrazi** stated that he had no problem meeting the time frame on Conditions # 2 and 3, he just needed Condition # 4 extended. **Hamel** asked what options were available to help the applicant with the timeframe. **Linville** stated if the applicant needed more time he could go before City Council.

Counts asked how the privately owned lot was going to be tied into city owned property. **Linville** replied that the city owned property can be purchased by a private owner.

PUBLIC COMMENT

Judy Phillips, 1649 6th Avenue, Yuma AZ, 85364, stated that she was never notified about the rezoning and other projects in the neighborhood, then went on to say that she was not happy with all the commercial development going on.

Freeman asked what the General Plan Designation was for the subject property. **Blevins** replied the property was on the edge of commercial and low density residential.

Counts asked how many negative comments were submitted by the residents. **Blevins** answered two.

Hamel stated that he would like to have the project move forward but the project needs to have a time frame. **Linville** stated even if the time frame was extended the property would not be able to be developed until the two lots were tied together.

Dammeyer asked for confirmation that the rezoning would not go through unless the two lots were tied. **Linville** replied that was correct. **Dammeyer** asked for the time frame for the extension process. **Linville** replied that the process takes about a month.

Hamel then asked Pancrazi if a 4-year extension would be acceptable. **Pancrazi** replied that it would be very difficult to work with, he would rather have 10 years.

Arney asked if the Commission had the ability to change the time frame past 4 years.

Rodney Short, City Attorney, commented that the Commission does have the authority to extend the time frame.

Motion by Dammeyer to **APPROVE ZONE-34686-2021**, subject to the Conditions of Approval in Attachment A, striking the time limit for Condition # 4. Motion failed for lack of a second.

Freeman commented that he would be comfortable with a ten-year time limit for Condition # 4.

Motion by Dammeyer, second by Freeman to **APPROVE ZONE-34686-2021**, subject to the Conditions of Approval in Attachment A, with the modification to Condition # 4 to allow ten years for completion. Motion carried (5-1), with Counts voting Nay and one absent.

(CLERK'S NOTE: Condition # 4 does not state a time frame for completion, but Condition # 5 does.)

ZONE-35018-2021: This is a request by Shelly Gillman, on behalf of Mallappa Neelappa, for a rezone of two properties: (1) a 0.60 acre property from the Transitional (TR) District to the Medium Density Residential (R-2) District, for the property located at 2186 W. 24th St.; (2) a 0.58 acre property from the General Commercial (B-2) District to the Medium Density Residential (R-2) District, for the property located at 2212 W. 24th St., Yuma, Arizona.

Chad Brown, Associate Planner, summarized staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

Hamel asked if the dirt that was put in the infill used to level out the ground. **Brown** deferred to the applicant.

APPLICANT/APPLICANT'S REPRESENTATIVE

Mallappa Neelappa, 2204 W. 12th Street, Yuma AZ, 85364, replied yes to the previous question. **Hamel** then asked if it was the applicant's intention to build condominiums on the property. **Neelappa** replied yes. **Hamel** asked was the egress on the property off of 24th Street. **Neelappa** replied yes.

PUBLIC COMMENT

None

Motion by Counts, second by Arney to **APPROVE ZONE-35018-2021**. Motion carried unanimously (6-0), with one absent

INFORMATION ITEMS

Staff

None

Commission

None

Public

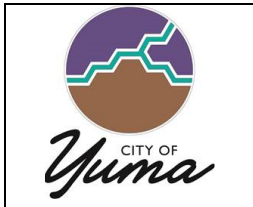
None

ADJOURNMENT

Hamel adjourned the meeting at 5:15 p.m.

Minutes approved this _____ day of _____, 2021

Chairman



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – TEXT AMENDMENT
CASE PLANNER: ALYSSA LINVILLE

Hearing Date: July 12, 2021

Case Number: ZONE-35268-2021

Project Description: This is a request by The City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 10 and Article 16 to update provisions related to residential density and parking in the Old Town (OT) Zoning District.

Staff recommendation: Staff recommends **APPROVAL** of the text amendment to amend Title 15, Chapter 154, Article 10 and Article 16 to update provisions related to residential density and parking in the Old Town (OT) Zoning District.

Suggested Motion: Move to **APPROVE** the text amendment ZONE-32945-2021 as presented in the staff report.

Effect of the Approval: By approving the text amendment, the Planning and Zoning Commission is recommending approval to City Council for the request to amend Title 15, Chapter 154, Article 10 and Article 16 to update provisions related to residential density and parking in the Old Town (OT) Zoning District.

Staff Analysis: The Old Town Zoning District (OT) was originally established in 1995 and has been subject to several updates throughout the years. As stated in the Zoning Code, the OT District was established to support a variety of uses including commercial, cultural, governmental and residential to ensure a lively, pedestrian-oriented district. In an effort to support the purpose of the OT District and to further encourage redevelopment efforts in the Historic Downtown, staff is proposing two amendments to the code in regards to residential density and off-street parking.

When the OT District was originally established, residentially density limitations were not clearly identified. Therefore, in 2004 an amendment was adopted which identified minimum lot size requirements for residential projects. These lot size requirements provided for a residential density ranging between 21 and 43 dwelling units per acre. In an effort to encourage new residential investment within the historic downtown area, staff is proposing increase the current density allowances.

Additionally, this amendment will provide clarifying language regarding the parking requirements within the OT District. The amendment will clarify that parking is not required for properties located within the Main Street Mall and Off Street Parking Maintenance District No. 1. This area is primarily focused on those properties located along or adjacent to Main Street.

1. Does the proposed amendment implement the goals, objectives and policies of the General Plan?

Yes.

2. Does the proposed amendment fit the overall purpose and intent of the zoning ordinance?

Yes.

3. Will the proposed amendment change the range of uses identified in the zoning code? If so, how?

No.

4. Will the proposed text amendment change the development standards of the zoning or subdivision ordinances? If so, how?

Yes. This proposed amendment will allow an increased in residential density within this Old Town Zoning District.

5. What are the potential impacts of the proposed amendment?

This proposed amendment could positively impact the ongoing revitalization of the historic downtown area by increasing the potential for multi-family projects. Residential development will increase year-round pedestrian traffic for the downtown area merchants.

6. Does the proposed amendment fit the overall purpose and intent of the subdivision ordinance?

N/A

7. Does the proposed amendment conform to prior City Council actions regarding this issue?

Yes. This proposed amendment fits the City Council's Strategic Plan and vision for the downtown area.

Public Comments Received: None Received.

Attachments:

A
Draft Text

Prepared By:

Alyssa Linville
Assistant Director



Date: June 30, 2021

Alyssa.Linville@yumaaz.gov

(928)373-5000, ext. 3037

ATTACHMENT A
DRAFT TEXT

Section 1: That the Yuma City Code, Title 15, Chapter 154, Article 10 Overlay Districts, Section 1 Old Town District (OT), Subsection F(4) Property development standards, be amended to insert the following bolded text and delete the strikethrough text at the sections and subsections listed below:

§ 154-10.01 Old Town District (OT).

...
(F) *Property development standards.* In addition to the regulations and requirements contained in other sections of this chapter, the following minimum property development standards apply to all land and buildings in the Old Town (OT) District as may be designated on the official zoning map.

- (1) Lot size. The minimum lot size in the Old Town (OT) District shall be 1,500 square feet.
- (2) Lot width. The minimum lot width in the Old Town (OT) District shall be 15 feet.
- (3) Lot coverage. The maximum lot coverage in the Old Town (OT) District shall be 100%.
- (4) ~~Lot area~~ **Density.** Projects with a residential component are required to provide a minimum of 2,000 square feet of lot area per residential unit for subdivisions or multi-family units on any project less than two acres in size and 1,000 square feet of lot area per residential unit for subdivisions or multi-family units on land equal to or greater than two acres. **the following square footage of lot area per residential unit:**
 - (a) **Single-family projects shall provide a minimum of 2,000 square feet of lot area per residential unit.**
 - (b) **Two-family projects shall provide a minimum of 1,500 square feet of lot area per residential unit.**
 - (c) **On lots less than two acres in size, multi-family projects shall provide a minimum of 630 square feet of lot area per residential unit. On lots greater than two acres in size, multi-family projects shall provide a minimum of 1,000 square feet of lot area per residential unit.**
 - (d) **For multi-family projects regulated by Section (c) above, the Zoning Administrator shall have the authority to consider density increases, through site plan approval, which incorporate sustainability, mixed-use, walkability, and/or public art into the development or provide parking in excess of the requirements of this code. The Zoning Administrator shall have the authority to approve up to a 40% density increase beyond the densities permitted in Section (c) above.**

Section 2: That the Yuma City Code, Title 15, Chapter 154, Article 10 Overlay Districts, Section 1 Old Town District (OT), Subsection F(8) Property development standards, be amended to insert the following bolded text and delete the strikethrough text:

§ 154-10.01 Old Town District (OT).

...

- (8) *Off-street parking.* Off-street parking in the Old Town (OT) District shall be provided in accordance with Article 16 of this chapter, off-street parking and loading regulations and further provided as follows:

- (a) For buildings erected with building permits issued on or before November 1, 1995, no off-street parking shall be required;
- (b) For buildings containing 5,000 square feet or less of gross area, erected with building permits issued after November 1, 1995, no off-street parking shall be required; and
- (c) For buildings containing more than 5,000 square feet gross floor area, erected with building permits issued after November 1, 1995, off-street parking shall be provided as required by Article 16 of this chapter.
- (d) Properties located within the Main Street Mall and Off Street Parking Maintenance District No. 1 shall be exempt from the minimum parking space requirements of the zoning ordinance.**

Section 3: That the Yuma City Code, Title 15, Chapter 154, Article 16 Off-Street Parking and Loading Regulations, Section 6 Exempt Areas, be amended to insert the following bolded text and delete the strikethrough text and image:

§ 154-16.06 Exempt Areas

~~The following properties are hereby~~ **Properties located within the Main Street Mall and Off Street Parking Maintenance District No. 1 shall be** exempt from the minimum parking space requirements of the zoning ordinance. ~~except that all additions to existing buildings and all new construction on said parcels shall conform to the requirements of this section to the extent that such modification exceeds the gross floor area of the existing structures on said lots, or of structures existing on said lots at the time of completion of the downtown parking district:~~

~~(A) Blocks 6, 10, 11, 14, 15, 16, 19, 20;~~

~~(B) Lots 1 through 4, inclusive of Block 18; and~~

~~(C) Block 7 (except Lots 1, 7, 13 through 16, inclusive), City of Yuma Subdivision.~~

